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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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DR. MARK FRIEDMAN LTD.
C/o Bill Polkinghorn
Discovery Dispatch
9003 Florin Way
Upper Marlboro, MD 20772

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT

PAPER NUMBER

2686

DATE MAILED: 06/23/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/078,008

Applicant(s)

ARAZI ET AL.

Examiner

Joy K Contee

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 13 is/are allowed.
- 6) ☐ Claim(s) 1, 4, 7 and 9 is/are rejected.
- 7) ☐ Claim(s) 5, 6, 8, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Rinne et al. (Rinne), U.S. Patent No. 6,259,685.

Regarding claim 1, Rinne discloses in a wireless communication system comprising a plurality of base stations and at least one switch in communication with the base stations, a method of synchronizing at least one neighboring base station to a base station connected with a mobile unit comprising:

from the base station connected with the mobile unit (col: 5.;lines 31-36), periodically transmitting during a selected time interval (i.e., reads on time slot) with higher transmission power than during normal transmission (col. 7,lines 3-40); and

receiving the transmission with higher transmission power at the at least one neighboring base station (col. 10, lines 38-43).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4,7,9, rejected under 35 U.S.C. 103(a) as being unpatentable over Rinne, in view of Gatherer et al. (Gatherer), U.S. Paten No. 6,396,457.

Regarding claim 4, Rinne discloses a method according to claim 1, but fails to disclose wherein the mobile unit is equipped with a short-range wireless communication transmitter/receiver.

In a similar field of endeavor, Gatherer discloses wherein inherently the mobile unit is equipped with a short-range wireless communication (i.e., reads on Bluetooth capability in Bluetooth network) transmitter/receiver (col. 8, lines 6-12).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Rinne to include mobile units with Bluetooth capability for the purpose of utilizing short-range wireless communication with a nearby base station.

Regarding claim 7, Rinne discloses the method according to claim 1, but fails to disclose, wherein the base stations and the switch are connected via a wired or wireless local area.

Art Unit: 2686

Gatherer further discloses wherein the base stations and the switch are connected via a wired or wireless local area (col. 3, lines 1-31 and col. 8, lines 6-24).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Rinne to include base stations and switch in wired or wireless local loop environment for the purpose of increasing the utilization of the aggregate communication capacity provided by the ad hoc networks in the wireless LAN.

Regarding claim 9, Rinne discloses a method according to claim 1, but fails to disclose wherein: the wireless communication system comprises a wireless private branch exchange handling calls from mobile units comprising handsets.

Gatherer further suggests the wireless communication system comprising a wireless private branch exchange handling calls from mobile units comprising handsets (reads on typical Bluetooth master devices described in col. 1, lines 54-59).

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Rinne to include base stations and switch in wired or wireless local loop environment for the purpose of increasing the utilization of the aggregate communication capacity provided by the ad hoc networks in the wireless LAN, in a Bluetooth network (col. 8, lines 4-23).

Allowable Subject Matter

5. Claims 12-13 are allowed.

Claims 5,6,8,10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ito, U.S. Patent No. 65,410,588, discloses a mobile radio communications system having a supervising radio transmitting station for transmitting a reference synchronizing signal.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K. Contee whose telephone number is 703-308-0149. The examiner can normally be reached on 5:30 a.m. to 2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2686

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.



Joy K. Contee

June 19, 2004



CHARLES APPIAH
PRIMARY EXAMINER